

REMARKS

Re-examination and allowance of the present application is respectfully requested.

Initially, Applicants note that the Examiner inadvertently failed to confirm Applicants' claim of priority, and that a certified copy of the priority document has been received in the parent application (i.e., U.S. Patent Application No. 09/548,744, now U.S. Patent 6,711,620). Applicants respectfully request such confirmation in the next official communication.

Applicants also note that the Examiner inadvertently failed to indicate the acceptability of the drawings in the application. Applicants assume that the drawings are acceptable, and respectfully requests confirmation in the next official communication.

The Examiner objects to the title of the application as being non-descriptive. By the current amendment, Applicants replace the originally submitted title with a new title that is believed to be clearly indicative of the invention to which the claims are directed. In view of the current amendment to the title, Applicants submit that the ground for the objection to the title no longer exists, and respectfully requests withdrawal of this ground of objection.

Applicants respectfully traverse the provisional 35 U.S.C. §101 rejection of claims 1-18 as claiming the same invention as that of claims 1-6 of co-pending Application No. 10/756,405; and claims 1-47 of co-pending Application No. 10/756,540. Applicants further respectfully traverse the various provisional non-statutory doubling patenting rejections set forth against the claims as being the same or not patentably distinct from various claims in co-pending Application Nos. 10/756,405; 10/756,540; U.S. Patent 6,711,620 to ROBERTS; 10/721,416 in view of ROBERTS; 10/756,268 in view of ROBERTS; 10/721,415; 10/756,539; and 10/756,503.

By the current amendment, Applicants cancel claims 1-18 and submit new claims 19-26 for the Examiner's consideration. The present invention, as defined by the claims, is directed to a digital broadcast receiver that sends an event to a first application selected in accordance with first receivable information previously registered by a first application, and sends the event to a second application selected in accordance with second receivable event information previously registered by the second application, in which the first and second applications are transmitted via a digital broadcast. Applicants submit that the claims of the present invention are not the same as the claims of the applications and patent applied by the Examiner, and that the claimed invention is patentably distinct from the claims of the other applications/patent. Accordingly, Applicants submit that the various grounds for the 35 U.S.C. §101 and provisional judicially created double patenting rejections no longer exist, and respectfully request their withdrawal.

Applicants respectfully traverse the 35 U.S.C. §103(a) rejection of the claims as being obvious over ROBERTS in view of "Official Notice".

In the present invention, a first application and a second application are transmitted via a digital broadcast to a digital broadcast receiver. An event is sent to the first application which is selected based upon first receivable information previously registered by the first application, or is sent to the second application which is selected based upon second receivable event information previously registered by the second application. Applicants submit that at least these features are lacking from the applied art of record.

ROBERTS discloses sending an event to a focused application. However, Applicants submit that ROBERTS does not disclose or even suggest sending an event to an executing application that is selected based on receivable event information previously registered by the application, as is taught by Applicants' instant invention. Further, Applicants submit that ROBERTS also fails to disclose or suggest that the first and second applications are transmitted via a digital broadcast.

Nor are these features old and well-known in the art to which the present invention pertains, so as to qualify as "Official Notice". Accordingly, Applicants submit that if one attempted to combine the teachings of ROBERTS and "Official Notice" in the manner suggested by the Examiner, one would fail to arrive at the instant invention, as such a combination would lack, at least, the above discussed features. In this regard, should the Examiner attempt to maintain the present rejection, he is respectfully

requested to refer Applicants to a prior art document that discloses the feature(s) the Examiner attempts to rely upon as being "Official Notice".

By the current amendment, Applicants cancel claims 1-18 and submit new claims 19-26 that more clearly define the present invention, as discussed above. Applicants submit that the newly presented claims are allowable over the applied art of record for at least the reasons discussed above. Applicants submit that the present invention, as defined by the newly submitted claims, is allowable over the applied art of record, and respectfully requests withdrawal of the 35 U.S.C. §103 rejection, an indication of the allowability of the pending claims, and the passage of this application to issue.

SUMMARY AND CONCLUSION

In view of the fact that none of the art of record, whether considered alone or in combination, discloses or suggests the present invention as now defined by the pending claims, and in further view of the above amendments and remarks, reconsideration of the Examiner's action and allowance of the present application are respectfully requested and are believed to be appropriate.

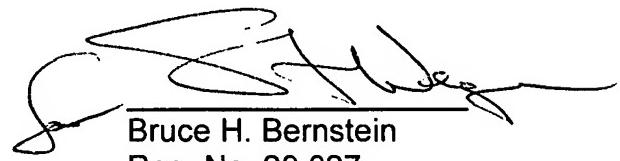
Should the Commissioner determine that an extension of time is required in order to render this response timely and/or complete, a formal request for an extension of time, under 37 C.F.R. §1.136(a), is herewith made in an amount equal to the time period required to render this response timely and/or complete. The Commissioner is authorized to charge any required extension of time fee under 37 C.F.R. §1.17 to Deposit Account No.

P25638.A05

19-0089.

If there should be any questions concerning this application, the Examiner is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
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September 30, 2005
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